

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

DANIEL PALOMO OF UTILITIES ANALYSES, INC.)	
ON BEHALF OF KENTUCKY STATE UNIVERSITY)	
)	
COMPLAINANT)	
)	CASE NO. 95-486
v.)	
)	
BELLSOUTH TELECOMMUNICATIONS, INC.)	
)	
DEFENDANT)	

O R D E R

On October 25, 1995, Daniel Palomo, on behalf of Kentucky State University, filed a complaint against BellSouth Telecommunications, Inc. ("BellSouth") asserting that BellSouth had not issued full credit for nine access lines which were being billed to Kentucky State University though the University had no access to the lines. Mr. Palomo asserts that three numbers, with a total of nine telephone lines, had no BellSouth demarcation point assigned to them. On November 30, 1995, BellSouth responded to a Commission order to satisfy or answer the complaint. BellSouth asserts that Mr. Palomo advised it in April 1995 that nine lines no longer appeared to be in use. At that point, BellSouth investigated the matter and discovered that the lines were connected to a data cabinet that was no longer connected to anything presently operating. A BellSouth service representative, Mr. Palomo, and a Kentucky State University comptroller department representative met concerning this matter. According to BellSouth, the comptroller's representative agreed with its representative

that it would not bill any further charges for the lines and issue a 12-month credit.

BellSouth asserts that it was Kentucky State University's responsibility to notify BellSouth promptly when it determined it no longer needed these telephone lines, and that BellSouth has no way to determine whether telephone services ordered by a customer are still in use without notification by the customer.

On December 18, 1995, Kentucky State University filed a reply to BellSouth's response. On January 9, 1996, BellSouth again responded to Kentucky State University's reply. Both parties reiterated earlier arguments.

A customer must notify a utility when a service is no longer desired. Cancellation of service is always the obligation of the customer. Further, BellSouth paid a credit which Kentucky State University accepted as full satisfaction of any dispute existing between them. This complaint must accordingly be dismissed.

IT IS THEREFORE ORDERED that Kentucky State University's complaint against BellSouth is dismissed.

Done at Frankfort, Kentucky, this 1st day of March, 1996.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director